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ORDER RE MARKMAN HEARING

By not later than three weeks before the *Markman* hearing, the parties shall file the following:

1. A Joint Statement of Disputed and Undisputed Terms for each patent at issue. This statement shall list in chart form each disputed and undisputed term (and each column and line where the term appears), Plaintiff's interpretation and Defendant's interpretation. (Only undisputed terms that are important for the Court's construction of the disputed terms need be included.) The Statement shall be brief and shall not contain argument;

1 however, Plaintiff and Defendant shall reference, by page number, the
2 section of their brief supporting their interpretation. Attached to this Order
3 is a sample joint statement.

4 2. An Electronic Copy of the Joint Statement of Disputed and Undisputed
5 Terms

6 3. A List of Exhibits and of All Witnesses (identified by status or function)
7 upon whose testimony the parties will rely at the hearing.

8 4. Declarations containing the direct testimony of each party's witnesses.

9 5. A Brief not to exceed 25 pages. The brief shall include a description of
10 both the patented product or process and the allegedly infringing product or
11 process.¹

12 By not later than one week before the *Markman* hearing, each party may
13 file a Reply. Reply briefs shall not exceed 10 pages.

14
15 IT IS SO ORDERED.

16
17 DATE:

18 A. Howard Matz
19 United States District Judge

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25 ¹ "While a trial court should certainly not prejudge the ultimate
26 infringement analysis by construing claims with an aim to include or exclude an
27 accused product or process, knowledge of that product or process provides
28 meaningful context for the first step of the infringement analysis, claim
construction." *Wilson Sporting Goods Co. v. Hillerich & Bradsby Co.*, 442 F.3d
1322, 1326 -27 (Fed. Cir. 2006).

IDENTIFICATION OF PATENT CLAIM PHRASES FOR U.S. PATENT NO. _____

CLAIM TEXT AND COLUMN/LINE REFERENCE	PLAINTIFF'S INTERPRETATION AND AUTHORITY	DEFENDANT'S INTERPRETATION AND AUTHORITY
1. "In a switched power supply " (Col. 6, Lns 41-42; Col. 9, Lns 36-54)	<p>AGREED TERM switched power supply: A circuit that delivers power to a load by using an electronic switch (<i>e.g.</i>, power switch).</p>	
2. "a rectifier adapted to be connected to the alternating current line " (Col. 10, Lns 13-15)	<p>AGREED TERM rectifier: A circuit or device that converts an alternating polarity signal to a single polarity signal (<i>i.e.</i>, typically a full-wave diode bridge).</p>	
	<p>DISPUTED TERM alternating current line: Electrical conductors capable of carrying a current whose direction changes at recurring intervals of time. Authority: Plaintiff's Brief at 9-10.</p>	<p>DISPUTED TERM alternating current line: Two or more physical conductors that carry a voltage waveform that varies in amplitude and polarity in a sinusoidal fashion (<i>e.g.</i>, the wires leading up to a typical wall outlet). Authority: Defendant's Brief at 14-19.</p>